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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,432	01/23/2004	Paul Brian Ripy	200-66300 (2003-00900)	6824

56929 7590 09/22/2006

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EXAMINER	
PATEL, HETUL B	

ART UNIT	PAPER NUMBER
2186	

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 10/763,432	**Applicant(s)** RIPY ET AL.	
	Examiner Hetul Patel	**Art Unit** 2186	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED on August 31, 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires *03* months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): 102(b)/103(a) rejection of claim 22-25.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: *22-25*.
   Claim(s) objected to: *4,7,8,10,12,18,19 and 27-30*.
   Claim(s) rejected: *1-3,16,17 and 26-30*.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: As to the remark, Applicant asserted that

(a) Since the Examiner acknowledged that Larson does not disclose that a number of first addresses are assigned to a group of devices such that two or more consecutive first addresses are assigned to each device in the group, claims 1 and 16 are not anticipated by the Larson reference.

(b) The mere teaching that other arbitration schemes can be used does not render obvious every other conceivable arbitration scheme.

(c) Since a teaching that other approaches can be used does not render obvious every other conceivable approach, and the Examiner has not established a prima facie case of obviousness, claims 1 and 16 are patentable over Larson.

Examiner respectfully traverses Applicant's remark for the following reasons:

With respect to (a), Examiner would like to point out to Applicant that a range of addresses of the memory device (i.e. 12 in Fig. 1) are assigned to each of the DMA devices (i.e. 16, 18 and 20 in Fig. 1) (e.g. see Fig. 1 and Col. 2, lines 26-56). Therefore, Larson does teach a number of first addresses (addresses of the memory device 12 in Fig. 1) are assigned to a group of devices (i.e. 16, 18 and 20 in Fig. 1) such that two or more consecutive first addresses (i.e. a range of addresses are assigned to each device) are assigned to each device in the group as claimed.

With respect to (b) and (c), the rejection made in the previous office action is under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Larson. Larson clearly discloses that the Fig. 7 disclose the a block of memory according to a simple "priority" algorithm, however, the arbitration scheme is not required to be the "priority" scheme as shown in Fig. 7 and ANY OTHER ARBITRATION SCHEME CAN BE USED (Emphasis added) (e.g. see Col. 5, lines 47-50). Accordingly, it would have been obvious to one of ordinary skills in the art at the time of the current invention was made to implement other known arbitration scheme such that two or more consecutive first addresses are assigned to each device and no two devices have the same first addresses as claimed. In doing so, each device will have a unique range of addresses assigned to it so the device can be identified based on the given address..

PIERRE BATAILLE
PRIMARY EXAMINER
9/18/06